

7. (Amended) The angle measuring system of claim 5, wherein said first stop at said base is defined, at least in part, by said second screw projecting into an opening of said base.

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11. (Amended) The angle measuring system of claim 1, wherein said first stop at said base comprises a projecting strip on said base.

#### REMARKS

A. Supplemental Information Disclosure Statement

On March 13, 2003, Applicant filed a Supplemental Information Disclosure Statement in accordance with 37 C.F.R. § 1.97(c). Applicant requests that the Supplemental Information Disclosure Statement be considered and the art cited therein reviewed and made of record in the next Office Action.

B. 35 U.S.C. § 112, Second Paragraph

In the Office Action of January 24, 2003, claims 6, 7 and 9-12 were rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. In particular, claims 1, 6 and 7 were deemed indefinite in that it was unclear whether the cited "stop at said base" was the first stop or the second stop. Applicant traverses the rejection in that claim 1 clearly identifies the stop at the base as being the first stop. Despite the improperness of the rejections, claims 6, 7 and 11 have been amended to clarify that the stop in question is the first stop. Since the phrase is clear in

meaning, the rejection should be withdrawn.

Please note that the amendments of claims 6, 7 and 11 are being made to clarify Applicant's invention and do not alter the scope of the claims as discussed above. Accordingly, the amendments are not being made for reasons of patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (en banc), overruled in part, 535 U.S. 722, 122 S. Ct. 1831 (2002).

**C. 35 U.S.C. § 102**

**1. 35 U.S.C. § 102(b)**

**a. Dangschat**

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Dangschat. Applicant traverses this rejection. Claim 1 recites that the first and second stops "limit said radial and axial compensating movements." In contrast, Dangschat discloses tappets or stops 13, 14 that extend in a radial direction that in conjunction with bolts 15 ensure that rotation of hub 10 results in hub 9 being rotated as well. As shown in FIGS. 1 and 2, stops 13, 14 and bolts 15 merely abut one another and so bolts 15 are able to move away from the stops 13, 14 if the direction of rotation is reversed. (Col. 4, ll. 6-9). Accordingly, the stops 13, 14 and bolts 15 do not limit radial or axial movements between the two hubs 9 and 10 since there are no stops in the radial and axial directions. Accordingly, claim 1 is not anticipated by Dangschat and so the rejection is improper and should be withdrawn.

Besides not being anticipated by Dangschat, claim 1 is not rendered obvious by Dangschat. As mentioned above, the stops and bolts do not limit motion of the hubs in the radial

and axial directions. Since there is no motivation in Dangschat or the prior art to alter Dangschat to include stops that limit the motion of the hubs in the radial and axial directions, claim 1 should be deemed patentable over Dangschat.

**b. Feichtinger et al.**

5           Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Feichtinger et al. Applicant traverses this rejection. As mentioned previously, claim 1 recites two stops that limit axial and radial movement. The Office Action has relied on Feichtinger et al.'s conical screw 18a.1 as being a stop that limits motion as recited in claim 1. However, screw 18a.1 is used to radially spread leaf spring arms 8a, 8b, 9a, 9b and to increase the spreading pressure  
10   against the inner surface of the tube 17. (Col. 4, ll. 30-33). Feichtinger et al. is silent as to the screw 18a.1 acting as a stop to limit axial or radial movement. For example, screw 18a.1 is inserted in a gap between the arms 8a, 9a as shown in FIG. 2. At this position, axial movement of the arms 8a, 9a is not limited by screw 18a.1 since the arms can move along the conical surface of the screw. Since the screw 18a.1 does not act as a stop to limit axial movement of the  
15   arms, claim 1 is not anticipated by Feichtinger et al. Accordingly, the rejection is improper and should be withdrawn.

          The rejection of claim 11 is improper because Feichtinger et al. fails to disclose a stop that includes a projecting strip on a base. The Office Action has asserted that item 19 of Feichtinger et al. is such a strip. However, item 19 is an elongated hole. (Col. 4, ll. 9-10). Since  
20   a hole is not a projecting strip, claim 11 is not anticipated by Feichtinger et al. Accordingly, the rejection is improper and should be withdrawn.

Besides not being anticipated by Feichtinger et al., the claims are not rendered obvious by Feichtinger et al. In particular, there is no suggestion in Feichtinger et al. to alter screw 18a.1 to limit axial motion of the arms 8a, 9a. Without such suggestion, claim 1 and its dependent claims should be deemed as being patentable over Feichtinger et al. Claim 11 is patentable over  
5 Feichtinger et al. since there is no suggestion to use a projecting strip as recited in the claim.

**2. 35 U.S.C. § 102(e)**

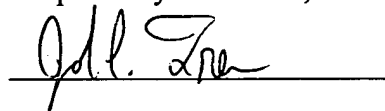
Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Brandl et al. Applicant traverses this rejection. Claim 1 recites a coupling connected to the base and the stator. Brandl et al. does not disclose such a coupling. Instead, Brandl et al. discloses using an  
10 adapter 7 to rigidly couple a shaft of a rotary transducer to the shaft of a motor. For example, screws 10 and 11 rigidly fix the shaft of the motor with the adapter. There is no coupling between a base and a stator of the rotary transducer. Indeed, Brandl et al.'s rotary transducer has no base and no coupling as recited in claim 1. Thus, Brandl et al. does not anticipate claim 1 and the rejection should be withdrawn.

15 Besides not being anticipated by Brandl et al., the claims are not rendered obvious by Brandl et al. since there is no motivation to use a coupling connected to a base and a stator. This lack of motivation is evidenced by the disparate way that Brandl et al. operates. In particular, Brandl et al.'s rotary transducer stator is constrained to follow all axial and radial movements of the motor shaft (otherwise the ball bearing 3 would be destroyed). Thus, the stator has to be  
20 fixed in a flexible way, via parts 14, 114, to the motor. In addition, the ball bearing 3 does not allow compensating movements.

### CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 1-12 are in condition for allowance and seek an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an  
5 interview would be helpful to resolve any remaining issues, she is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



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Dated: April 30, 2003

### Marked Up Version of Amended Claims

6. (Amended) The angle measuring system of claim 3, wherein said first  
stop at said base is defined, at least in part, by said second screw projecting into an opening of  
5 said base.

7. (Amended) The angle measuring system of claim 5, wherein said first  
stop at said base is defined, at least in part, by said second screw projecting into an opening of  
said base.

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11. (Amended) The angle measuring system of claim 1, wherein said first  
stop at said base comprises a projecting strip on said base.